NE/S Winters Lane, 15' NW of

\* DEPUTY ZONING COMMISSIONER (20 Winters Lane) 1st Election District \* OF BALTIMORE COUNTY ist Councilmanic District

ReVisions, Inc. Petitioners

\* Case No. 93-60-X

\* \* \* \* \* \* \* \* \* \* \* FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owners of the subject property, ReVisions, Inc., by and through its attorney, Keith R. Truffer, Esquire. The Petitioner requests a special exception to permit an existing community care facility on the subject property, zoned R.O., pursuant to Sections 203.3.B1 and 1B01.1.C.6A of the Baltimore County Zoning Regulations (B.C.Z.R.), and to permit an increase of capacity to 75 persons per

Appearing on behalf of the Petitioner were R. Scott Graham, President, who was represented by Keith R. Truffer, Esquire; Len Bohager, Registered Professional Engineer; Bob Blankfeld, and Chet Madigan. There were no Protestants.

day, all as more particularly described on Petitioner's Exhibit 1.

Testimony indicated that the subject property, known as 20 Winters Lane, consists of 0.526 acres, zoned R.O. and is improved with a 13,500 sq.ft. building. Said property was the subject of prior case No. 86-249-XSPH in which a special exception for a community care facility was granted by the then Zoning Commissioner, Arnold Jablon, on December 30, 1985. The Petitioner filed the instant Petition to increase service to a maximum of 75 persons per day. Scott Graham testified that ReVisions, Inc. has operated this community care facility for the past 6 years. He

testified that ReVisions, Inc. provides social programs and psychiatric and vocational rehabilitation to citizens of Baltimore County on an out-patient basis. Testimony indicated that the demand for such services has increased over the past several years and that they are limited to providing services for a maximum of 65 clients per day pursuant to the original special exception. Mr. Graham testified the relief requested is necessary in order to maintain continuity in the programs and services offered.

Mr. Graham further testified that the hours of operation for the subject facility are Monday through Friday, 9:00 AM to 5:00 PM. He testified that the proposed increase of 10 additional clients per day would not result in an overburdening of the subject site and would not cause a parking problem in that transportation is provided to many of the clients by the Petitioner via three vans used by ReVisions, Inc.

It is clear that the B.C.Z.R. permits the use proposed in an R.O. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a spe-

- 2-

cial exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

appears that the special exception should be granted with certain restrictions as more fully described below.

lic hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for

1) The Petitioners are hereby made aware that pro-

After reviewing all of the testimony and evidence presented, it

Pursuant to the advertisement, posting of the property, and pub-

Baltimore County this 100 day of November, 1992 that the Petition for Special Exception to permit an existing community care facility on the subject property, zoned R.O., pursuant to Sections 203.3.Bl and 1801.1.C.6A of the Baltimore County Zoning Regulations (B.C.Z.R.), and to permit an increase of capacity to 75 persons per day, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restric-

> ceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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2) The special exception granted herein is limited to a community care facility for a maximum of 75 clients per day. Any increase over and above this number

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Baltimore Comas Consembrat Zoning Commissioner Office of Placaing and coning . . . . . .

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

November 10, 1992

Keith R. Truffer, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, Maryland 21204-4575

RE: PETITION FOR SPECIAL EXCEPTION NE/S Winters Lane, 15' NW of the c/l of Melrose Avenue (20 Winters Lane) 1st Election District - 1st Councilmanic District ReVisions, Inc. - Petitioners Case No. 93-60-X

Dear Mr. Truffer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

in the lay all the TIMOTHY M. KOTROCO

for Baltimore County

TMK:bjs

cc: People's Counsel

Deputy Zoning Commissioner

Petition for Special Exception

to the Zoning Commissioner of Baltimore County 93-60-x

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a community care facility in an RO zone (BCZR Section 203.3 Bl, 1B01.1C6A

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

ntract Purchaser/Lessee:	Legal Owner(s):
***************************************	ReVisions, Inc.
(Type or Print Name)	(Type or Rriat Name)  By: COH //
Signature	Signature R. Scott Graham, President
	R. Scott Graham, President
Address	(Type or Print Name)
City and State	Signature
tornsy for Petitioner:	
	20 Winters Lane
Keith R. Truffer (Type or Print Name)	P.O. Box 21059 (410) 747-4492  Address Phone No.
Signature	Catonsville, MD 21228 City and State
Royston, Mueller, McLean & Re:	Name, address and phone number of legal owner, con-
" Feilisylvania Ave.	" ware barenesst of isblescuttisks to be contacted
Suite 600, Towson, MD 21204-45	R. Scott Graham, President
City and State	Name 20 Wintows Taxo

Attorney's Telephone No.: (410) 823-1800 AVAILABLE POR HEARING MON./TUES./WED. - NEXT TWO MONTHS REVIEWED BY: WY DATE 1 11 12 HICKS ENGINEERING COMPANY, INC. 200 East Juppu Road, Suite 402 Tunsun, MD 21204 . 1301 494.0001

> JULY 2, 1992 DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION FOR 20 WINTERS LANE CATONSVILLE, MARYLAND

BEGINNING FOR THE SAME at the corner formed by the northeast side of Winters Lane (of variable width) and the northwest side of Melrose Avenue (25 feet wide); THENCE running and binding along the northeast side of Winters Lane, North 24 degrees 24 minutes 13 seconds West with all bearings referred to the Magnetic Meridian of 1985, 142.00 feet to a point; THENCE leaving the said northeast side of Winters lane and running North 66 degrees 32 minutes 9 seconds East 158.60 feet to a concrete monument found; THENCE running South 25 degrees 32 minutes 58 seconds East 144.63 feet to intersect the said northwest side of Melrose Avenue; THENCE running and binding along the said northwest side of Melrose Avenue South 67 degrees 26 minutes 37 seconds West 161.56 feet to the place of beginning. The improvements thereon being known as 20 WINTERS LANE.

BEING the same property which by Deed dated March 3, 1989, and recorded or intended to be recorded among the Land Records of Baltimore County, Maryland prior hereto, was conveyed from Winters Lane Partnership, a Maryland general partnership, to ReVisions, Inc., a Maryland corporation.



Civil Engineers · Surveyors · Land Planners

shall be by way of Petition for Special Hearing to modify the special exception relief granted herein.

3) When applying for any permits, the site plan and/ or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> Deputy Zoning Commissioner for Baltimore County

TMK:bjs

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Remarks:				

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of weeks, the first publication appearing on ....

THE JEFFERSONIAN

PAID PER HAND WRITTEN RECKIPT DATED 8/19/92

8/28/92

PUBLIC HEARING FEES

050 -SPECIAL EXCEPTION

PRICE

TOTAL: \$300.00

LAST NAME OF OWNER: REVISIONS,

Please Make Checks Payable To: Baltimore County

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Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

DATE: 9/14/92

Revisions, Inc. P. O. Box 21059 Catonsville, Maryland 21228

NE/S Winters Lane, 15' NN c/l Melrose avenue 20 Winters Lane 1st Election District - 1st Councilmonic Petitioner(s): ReVisions, Inc.

HEARTIMS: FRIDAY, OCTOBER 9, 1992 at 10:00 a.m. in Room 106, Office Building.

Please be advised that \$ 64.33 is due for advertising and posting of the above captioned

THIS FEE MOST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return smil to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

cc: Keith R. Truffer, Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeaks Avenue in Townen, Haryland 21204

Room 118, Old Courthouse, 400 Heshington Avenue, Towson, Haryland 21204 as follows:

ME/S Winters Lane, 15' MW c/l Helrose Avenue 20 Winters Lane 1st Election District - 1st Councilmenic Petitioner(s): ReVisions, Inc. HEARING: FRIDAY, OCTOBER 9, 1992 at 10:00 a.m. in Room 106, Office Building.

Special Exception for a community care facility.

Zoning Commissioner of Baltimore County

111 West Chesapeake Avenue

Towson, MD 21204

Keith R. Truffer, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204 September 29, 1992 (410) 887-3353

Keith R. Truffer, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, MD 21204-4575

> RE: Item No. 64, Case No. 93-60-X Petitioner: ReVisions, Inc., et al Petition for Special Exception

Dear Mr. Truffer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

Your petition has been received and accepted for filing this

Zoning Plans Advisory Committee

Petitioner: ReVisions, Inc., et al Petitioner's Attorney: Keith R. Truffer

19th day of August, 1992

7910-92

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 4, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for September 8, 1992 Work No. 11 #64

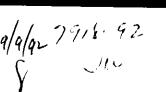
The Developers Engineering Division has reviewed the subject zoning item and we find that this site is subject to the provisions of the Landscape Manual prior to grading or building permit approval.

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB: DAK: s







INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director Office of Planning and Zoning

DATE: September 3, 1992

SUBJECT: 20 Winters Lane Item Number:

Petitioner:

Work #11 #64 Revisions, Inc.

0.526 acres Zoning: Requested Action: Special Exception 

SUMMARY OF RECOMMENDATIONS: This petitioner is requesting a special exception for a community care facility in a R.O. zone.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's re-

This is an existing facility with no known community concerns.



FM/PK/EMcD:prh

11.ZAC/ZAC1

## BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: September 3, 1992

Mr. Arnol	d Jablon, Director
Office of	Zoning Administration
and Devel	opment Management

Rahee J. Famili

WORK NUMBER: 11

SUBJECT: Z.A.C. Comments

2.A.C. MEETING DATE: August 31, 1992

1) The parking space being used for the dumpster pad should not be included in the parking calculations

2) "DO NOT ENTER" signs should be provided on both sides of the access to Melrose Avenue.

Traffic Engineer II

RJF/WKL/1vd

DEPRM 57 B-24-92  Colonial Village Company DEPRM 19 B-3-92  Susan J. Blum 23  Arthur Thomas Ward. III DEPRM 9  Steven Lewis and Mary Ann Kidwell 63 B/31/92  ReVisions, Inc. DEPRM 57  Cheryl Blevins DEPRM 57  Trvin R. and Judith B. Zeigenfuse DEPRM 57  Golden Ring Mall Company Limited Partnership 60  B-24-92	Authorized signat	- <del>y</del>		Date 2-
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RE: Property Owner: REVISIONS, INC. Location: #20 WINTERS LANE Gentlemen: edition prior to occupancy. Special Inspection Division JP/KEK 

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 Zoning Agenda: AUGUST 31, Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property. 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 Fire Prevention Bureau

Baltimore County Government

SEPTEMBER 1, 1992

(410) 887-4500

Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

Development Review Committee Response form
Authorized signature \_\_\_\_\_\_ Date 9/8/92 Project Name File Number Meeting Date Maiden Choice Associates DED DEPRM RP STP TE 8/31/92 ED DEPRM RP STP TE Lyons Mill Partnership DED DEPRM RP STP TE ED DEPRM RP STP TE Steven Lewis and Mary Ann Kidwell DED DEPRM RP STP TE ReVisions, Inc. DED DEPR RP STP TE ED DEPR RP STP TE Donald And Margaret Proescher DED DEPRM RP STP TE Franciaco and Ada Figueroa DED DEPRM RP STP TE ED DEPRM RP STP TE Pamela H. and Randall W. Perkins DED DEPRM RP STP TE DED DEPRM RP STP TE Johnny M. Boyles DED DEPRM RP STP TE Donald E. and Mary Bell Grempler DED DEPRM RP STP TE No common, Gordon E. Sugar DED DEPRM RP STP TE No Comment Michael and Patricia Perholtz DED DEPRM RP STP TE Dr. Edward and Ann Mishner DED DEPRM RP STP TE ED DEPRM RP STP TE

Department of Recreation and Parks,

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET ADDRESS ILWETTOT I WARE 132 W. PENN Art Town 2:24 LEN BOHAGER 200 E. Joppa Rd. Towson 21286 Bob Blankfeld I Investment P1 Towson 21804 Modiza 5003 WilkeNS AVE. 21228 730 Oclla ALE EllicoHCity MD 21043 SEP-20-91 FRI 12:58 LAWYERS CLEARING HOUSE FAX NO. 1301235851

IN RE: PETITION SPECIAL EXCEPTION \* NE and NW/corners of Winters Lane and Melrose Avenue (20 Winters Lane) -1st Election District

Archbishop William D. Borders, \*

ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 86-249-XSPH

Petitioner \* . . . . . . . . . . . FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a community care facility and, additionally, a use permit for parking in a residential zone, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by W. Grant Lauterbach, General Partner for Winters Lane Partnership, the Contract Purchaser, appeared and testified and was represented by Counsel. Testifying on behalf of the Petitioner were William Monk, a land planning consultant; R. Scott Graham, Executive Director, Revisions, Inc. (Revisions); and Dr. Edward Matricardi, Assistant Director, Bureau of Mental Health Services, Department of Health. Mr. and Mrs. Paul Smith, Phyllis Buchanan, and Sandra Williams appeared in opposition.

Testimony indicated that the Contract Purchaser proposes to convert a combination one and two-story vacant school building, which is located on the corner of Winters Lane and Helrose Avenue and faces Winters Lane, to a community care facility. Until a few years ago, the subject property, consisting of approximately one-half acre, was used by the Catholic Archdiocese as a school for St. Mark's Church, which is located diagonally across Winters Lane. A zoning line bifurcates the property with R-O zoning in the front and D.R.16 zoning in the rear. The zoning is B.L. across Melrose Avenue and D.R.16 across Winters Lane. Adjacent to the northwestern property line, the zoning

.

DEPARTMENT OF HEALTH AND MENTAL HYGIENE 201 WEST PRESTON STREET . BALTIMORE, MARYLAND 21201 . Area Code 301 . 225-William Donald Schaeler

April 30, 1992

R. Scott Graham, CEO Revisions, Inc. P.O. Box 21059 Catonsville, MD 21228

Dear Mr. Graham,

At the special exception hearing for your community rehabilitation site, please submit the following to the Baltimore County Zoning Board:

This is to support continuation of the special zoning exception granted to ReVisions, Inc. Community rehabilitation exception granted to Revisions, Inc. Community rehabilitation programs provide valuable day programming to allow individuals with emotional disorders to increase their skills and achieve greater independence in their lives. The Revisions program at 20 Winters Lane has received very favorable survey findings by the Department of Health and Mental Hygiene Office of Licensing and Certification, by the Department of Health and Mental Hygiene Medical Care Compliance Administration, and by Mental Hygiene Medical Care Compliance Administration, and by the national Commission on Accreditation of Rehabilitation Facilities. The Mental Hygiene Administration has not received any complains from neighbors in the community concerning the Winters Lane program site. It is strongly recommended that the Baltimore County Zoning Board continue to grant the exception so that Baltimore County citizens with psychiatric disabilities may continue to receive services offered by ReVisions on Winters Lane. Please feel free to contact me if any further information is desired.

Sincerely,

Lewis A. Rothschild Program Administrator Metro Region Mental Hygiene Administration

cc: Alice Hegner Ed Matricardi

October 7, 1992

RECEIVED

Arnold Jablen Director Zoning Administration and Development Management 111 W. Chesapeake Áve Rm 109

Towson, Maryland 21204

Dear Mr. Jablon:

I am the Director of Housing Services for Associated Catholic Charities. Catholic Charities is the sponsor of St. Mark's Apartments, a twenty unit building providing affordable housing to income eligible seniors. We are aware that Revisions Inc. is applying for a special exception to remain a community care facility. We are in support of that request.

Sincerely,

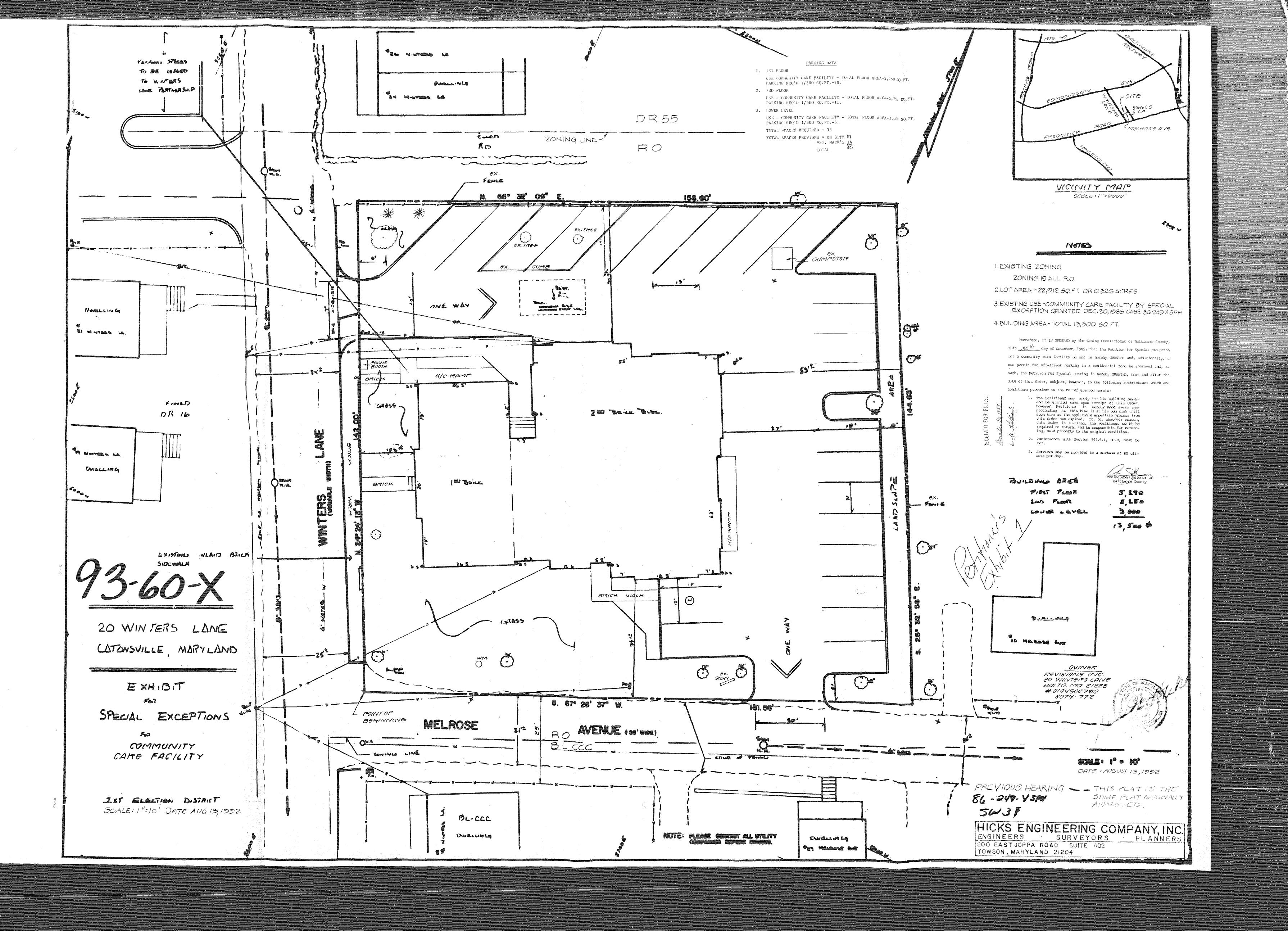
Dale K McChalle /-

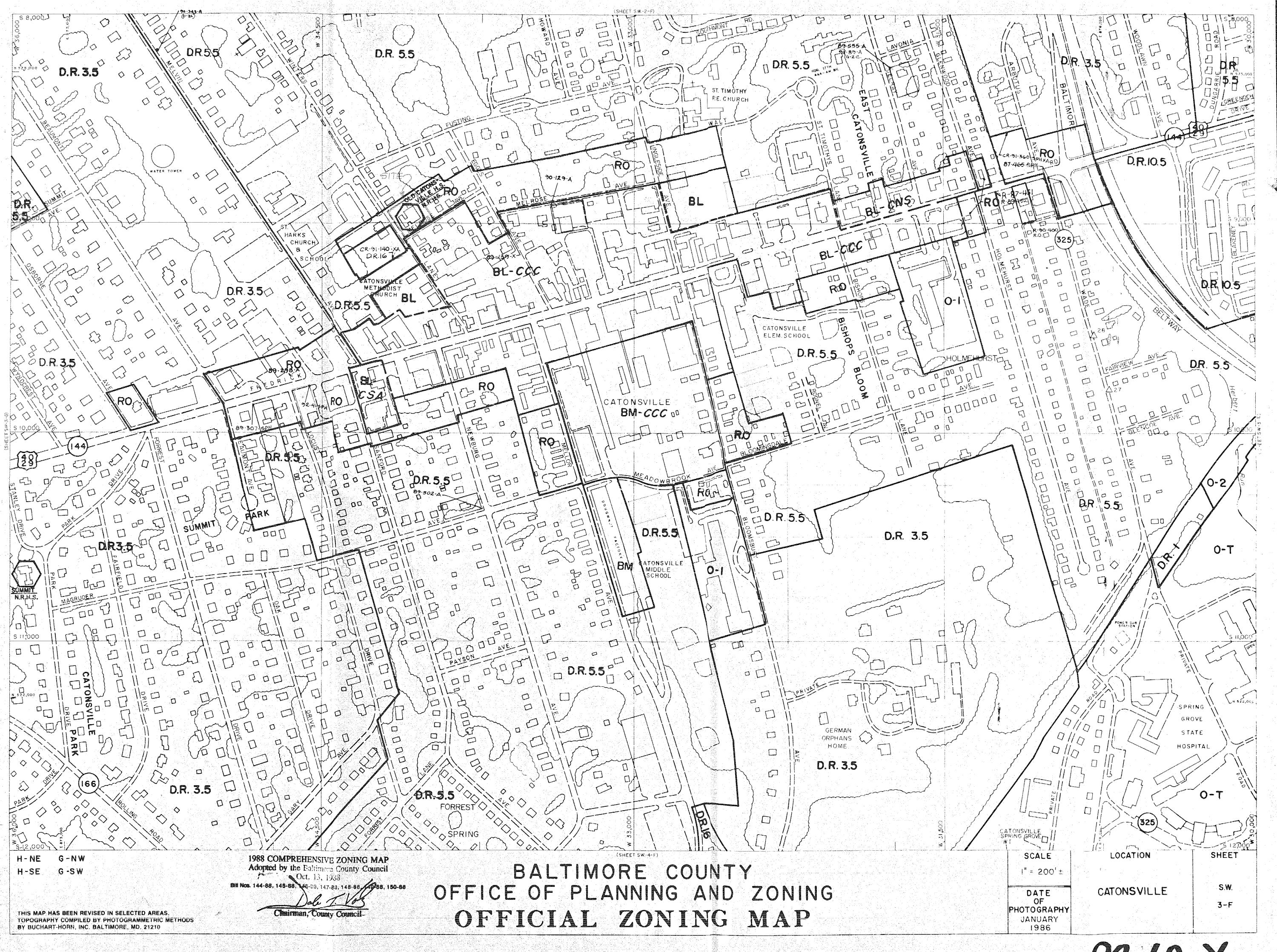
Dale R. McArdle Director of Housing Services

cc: R. Scott Graham //

TDD for the Deat: Beltimore Area 383-7868 D.C. Metre Area 585-0451

320 Cathedral Street • Baltimore, MD 21201-4493 • 410/547-5508 Fax 410/752-7260





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